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TO RUEHC/SECSTATE WASHDC IMMEDIATE 1782  
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RHHMUNA/CDRUSPACOM HONOLULU HI IMMEDIATE  
RUEKJCS/SECDEF WASHDC IMMEDIATE

C O N F I D E N T I A L SECTION 01 OF 02 MANILA 002103

SIPDIS

STATE FOR EAP/MTS  
STATE FOR DRL KIM/STEINHELPER

E.O. 12958: DECL: 09/10/2018  
TAGS: [PHUM](#) [PREL](#) [RP](#)  
SUBJECT: DEMONSTRATING COMMITMENT TO STOP EXTRAJUDICIAL  
KILLINGS

REF: A. MANILA 2022 (PRESIDENT DETERMINED TO STOP ATTACKS)  
[1](#)B. MANILA 1759 (COURT CONVICTS SOLDIER FOR  
DISAPPEARANCES)  
[1](#)C. MANILA 1706 (RAMPING UP INVESTIGATION AND  
PROSECUTION OF KILLINGS)

Classified By: Charge d'Affaires Jon Lindborg,  
for reasons 1.4 (b) and (d).

[1](#)1. (C) Summary: The Philippine government continues to take steps against extrajudicial killings (EJKs) through continued engagement with civil society actors and increased vigilance at the highest levels of the police and military. The Philippine Department of Justice (DOJ) is closely monitoring the investigations of three killings committed in June and August, including a potential EJK where a police officer is the primary suspect. The Philippine National Police (PNP) in August recalled a police commander to face investigation for planning to commit abuses against a detainee. Secretary of National Defense Gilberto Teodoro told Ambassador August 28 (Ref A) that he would pay close attention to human rights issues during the military's ongoing operations in Mindanao. Meanwhile, programs supported by the State Department's Bureau of Democracy, Rights, and Labor and USAID continued to train legal professionals around the country, imparting the skills needed to investigate and prosecute EJK cases. These programs are helping establish a long-term foundation for a more responsive judicial system. In light of the government's continued cooperation with NGOs and recent actions and comments by police and military leaders, the government overall remains visibly committed to improving its ability to prevent and resolve EJKs, even as it engages insurgents in fighting in Mindanao. End Summary.

DOJ MONITORS THREE NEW KILLINGS  
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[1](#)2. (U) The Department of Justice's (DOJ) Task Force 211, charged with prosecuting EJKs, is examining three new killings of journalists. Only one of these incidents appears to be an EJK involving a state actor. In early August, two commentators from Radio Mindanao Network were killed in South Cotabato and Aklan provinces. In the South Cotabato incident, the DOJ is monitoring the case after charges were filed against a junior police officer on August 17. In the Aklan murder, which may have been politically motivated, the two perpetrators were apprehended by police immediately following the crime, and charges were filed on August 14. In both these cases, the presence of eyewitnesses allowed the police to file charges quickly. The DOJ is also monitoring the investigation into the June 30 killing of a journalist in Quezon province.

POLICE, MILITARY AWARE OF POTENTIAL ABUSES

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13. (C) The leadership of the Philippine National Police (PNP) and the Armed Forces of the Philippines have repeatedly expressed their commitment to bring perpetrators of human rights violations to justice, and their positions appear unchanged even as they engage in military operations in Mindanao. In August, the PNP recalled a police commander to face investigation for planning to commit abuses against a detainee. With regard to the military, Secretary of National Defense Gilberto Teodoro privately reassured the Ambassador (Ref A) that he would pay close attention to human rights issues during the military's ongoing operations in central Mindanao, and he acknowledged the Ambassador's concerns that all violent episodes during the last several weeks of confrontations, whether committed by Christians or Muslims, be properly investigated.

NGOs LEND A HELPING HAND  
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14. (U) The Philippine government continues to cooperate with civil society actors to help the justice system hold EJK perpetrators accountable. Grants from the State Department's Bureau of Democracy, Rights, and Labor (DRL) and USAID have enabled two NGOs to hold capacity-building workshops and create detailed legal reference materials for law professionals. Since 2007, the Asia Foundation has utilized a USAID grant to train over 250 prosecutors, judges, attorneys, and other stakeholders in specific legal topics such as the proper handling of forensic evidence, Philippine humanitarian law, and other subjects. The skills imparted in

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these workshops are critical for the successful prosecution of any EJK case. Workshops have been held in different regions, including Mindanao, and additional programs are scheduled for the remainder of 2008. In August, the Asia Foundation finalized a Prosecutor's Manual on Human Rights to be distributed at prosecutors' offices around the country. This manual will guide prosecutors on gathering and presenting evidence and coordinating with witness protection providers for the security of victims, witnesses, and their families. The continued enthusiastic support of Philippine government partner institutions in these programs demonstrates that they derive significant benefit from their involvement.

15. (U) The American Bar Association (ABA), through a grant from DRL, launched its own series of EJK-related training in June 2008 with a training course in Luzon for 28 prosecutors on crime scene preservation and forensics. The training encouraged prosecutors to think critically about the role and uses of physical evidence and taught them to recognize, preserve, and present evidence for use in trials. Following the training, a multi-sectoral conference on EJKs brought together prosecutors, public attorneys, journalists, and human rights activists, as well as the chair of the Philippine Human Rights Commission and other officials, to discuss legal developments and the different responsibilities of stakeholders combating EJKs. Participants in both events said the training gave them important new skills that they would pass on to their colleagues and apply in their work. Based on positive feedback received from participants, ABA will conduct additional training workshops and conferences in other parts of the country, including in Mindanao and Cebu, during the remainder of the year.

COMMENT  
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16. (C) While the problem of EJKs remains serious, the Philippine government appears increasingly committed to preventing and solving cases of extrajudicial killings. The PNP and the DOJ have maintained a higher level of transparency in the investigation and prosecution of EJKs,

and have repeatedly noted to Ambassador and Embassy officers that they are focused on the EJK issue. The PNP's swift recall of a commander is a sign that the PNP is able to match its public words with private actions, while demonstrating a growing awareness on the part of the government that gross human rights violations could negatively impact the peace process. Ambassador and senior officers at post remain engaged with Philippine officials to reiterate the need for all state actors to pay particular attention to the need to respect the human rights of individuals detained during the ongoing military operations in Mindanao.

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